

**A Pre-Submittal Conference with the Planning Department is required.** Registration deadlines are shown on the Rezoning Submittal Calendar. **Please email, phone or fax your pre-submittal conference registration by 9 a.m. of the registration deadline day.** Please use the pre-registration form available on the website, also available through the Department.

**The required application materials must accompany all Rezoning Application forms, and all materials are due by noon on the submittal deadline,** typically the second Monday of the month. The form itself has been changed to give greater prominence to the applicant's role in meeting the requirement for complete and accurate submittals. **Incomplete application packages will not be accepted, and application packages found insufficient on the more detailed review of the request will have an automatic one-month delay.** The following defines what makes a complete rezoning application package:

1. **Completed Rezoning Application Form, 3 copies.** Original signatures are required on one copy, preferably in a color other than black.
2. **Filing fee.** (Per-acre fees shall be calculated on the entire project and shall not be calculated on a pro rata share. Cases with multiple zones, or, as in MU, multiple use categories, are charged the highest base fee applicable according to the zone or use categories proposed, plus the per-acre fee according to the acres in each of the categories proposed.) These fees are subject to revision. Checks should be made payable to the City of Durham. Counterchecks, or any check not imprinted with the account name and number, cannot be accepted. The original fee covers initial review and one re-review. The current fee schedule (FY02-03) is:
  - **Residential, Single Family, 1 acre or less:** \$250 per case, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and sign (typically \$315);
  - **Residential, Single Family (non-PDR), greater than 1 acre and less than or equal to 20 acres:** \$2185, plus \$55 per acre, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and sign (typically \$315);
  - **Residential, Single Family (non-PDR), greater than 20 acres:** \$2885, plus \$55 per acre, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs (typically \$315);
  - **PDR, less than or equal to 30 acres:** \$3135, plus \$55 per acre, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and sign (typically \$315);

- **PDR, greater than 30 acres:** \$3385, plus \$55 per acre, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and sign (typically \$315);
  - **Office, Residential other than Single Family or PDR, Industrial, or Research zones, without a TIA required:** \$3935, plus \$65 per acre, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and sign (typically \$315);
  - **Office, Residential other than Single Family or PDR, Industrial, or Research zones, with a TIA required:** \$5730, plus \$65 per acre, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs (typically \$315);
  - **Commercial, without a TIA Required:** \$3935, plus \$75 per acre, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and sign (typically \$315);
  - **Commercial, with a TIA Required:** \$5730, plus \$75 per acre, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and sign (typically \$315).
  - **Re-review fees:** half of filing fee, up to \$3500; if Transportation or Engineering re-reviews are needed, half of their review fee(s) is/are also required; plus Technology surcharge of 4%.
  - **Surcharge: Newspaper Advertising** \$125; if case has to be heard by both governing bodies, \$190
  - **Surcharge: Letter Notice** \$90
  - **Surcharge: Sign** \$100
2. **Tax mapping (GIS) showing the rezoning site.** The print must be at a scale where parcels numbers and street names are clearly legible.
  3. **Mailing list of and 2 sets of labels for Neighborhood Organizations** within 1000' of the rezoning site. The current contact person, so far as the department has been advised, is available on the department web site. Identification of the listed organizations will be a part of the pre-submittal conference.
  4. **Mailing list of and 2 sets of labels for any rezoning-site tenants,** for requests within the City, or being annexed into the City so that Council takes the deciding action on the request. The labels can be addressed to “occupant”, with the full address of the rental unit.

5. A **survey** map, plat map or boundary map of the property being rezoned. The survey does not have to be newly done for the zoning unless no existing map accurately describes the rezoning site.
6. The Council or Board **ordinance form**, completed except for case number and meeting date, and describing by metes and bounds the property involved in the rezoning. The **metes and bounds legal description** shall follow, describe and refer to the survey provided in fulfillment of Item 6. If more than one zone is requested, describe the area for each zone separately, and clearly state the zone request for the described area. If reference to a recorded plat helps clarify the description, please include it. Make sure the PIN numbers for all properties included in the request are listed, along with the word “partial” for any parcel whose entirety is not included in the rezoning. (A description relying solely on reference to tax maps and/or plat maps is not acceptable.)
7. Cases within the municipal limits are decided by City Council; the Board of County Commissioners decides those outside the city boundaries. Periodically an applicant wants to have the property annexed by the City so the decision is before the Council. If this is the case, the annexation petition must be filed not later than concurrently with the rezoning request, and a copy of the **transmittal of the annexation petition** to the Finance Department of the City shall be provided as part of the rezoning package. Annexation request processing takes approximately 3 months from their submittal deadline if all is in order. Please note, however, that cases will not be held for a DCC schedule unless an annexation hearing is also scheduled for consideration. The annexation case and the rezoning case will not typically be heard the same night.
8. Some zoning districts require a **Development Plan**; for others it is an optional choice. For all requests with a Development Plan the following are applicable, and an application is incomplete without these elements:
  - a. Ten folded, **full-sized copies** of the Development Plan, meeting ordinance and development plan checklist requirements for information and accuracy
  - b. An 11”x 17” **reduction** of the plan. The reduction must be clearly legible.
  - c. Signed **owner’s acknowledgement** form, with original signature, if the applicant who signed the application form is not the fee-simple owner of the property. Owner’s acknowledgements are required for each property in the proposal, and from each owner.
  - d. Three copies of an **engineering study on stormwater impacts** of the proposed development, **or** a letter from City and/or County Stormwater Management, depending on jurisdiction, stating that the study is not required for this request. “The study shall indicate pre-development and post-development impacts for the 2-year and 10-year storms at all discharge points. The study area is to incorporate all downstream tributaries until it is demonstrated that the increased runoff from the developed site is not longer increasing the existing flow by 10%. If runoff

has increased anywhere by more than 10%, indicate what downstream improvements are necessary to accommodate the additional flow, or provide on-site detention facilities.” (Contact City Storm Water Management at 560-4326, and County Engineering at 560-0735, for more information.)

- e. **Building design principles**, detailed by narrative, elevations and/or illustrations, and relative to context area, building details and special considerations. (See zoning ordinance section 15.3.6.2 (q).) These are required for all development plan requests except those for detached single-family.
- f. Three copies of a **Traffic Impact Analysis**, or a letter from Transportation Division stating that the analysis is not required for this request. The TIA is required if the proposed use is anticipated to generate traffic above set threshold levels. Review of the TIA by Durham’s Transportation Division, and the NCDOT as necessary, is required before a case can be scheduled for the Zoning Committee. (Contact Transportation at 560-4366 for more information.)
- g. If the request is inconsistent with an applicable adopted land use plan, amendment of that plan is required. The application form, schedule and description of necessary materials, etc., are available from the Department. The completed amendment application package must be filed with the Department at least 45 days in advance of the quarterly Planning Commission meeting; the rezoning will not be scheduled before the Zoning Committee until the PC’s recommendation on the proposed plan amendment has been made.

**NOTE:** Please make sure your application and development plan are complete and accurate. The turn-around time for applicants to respond to review comments and keep the request on the shortest available schedule to ZC is very short. Those cases that require more substantive revision or which cannot meet the resubmittal deadline will be rescheduled to a later Zoning Committee agenda.

7/15/02